

**In the  
Indiana Supreme Court**

<b>TAMMI E. DICKISON</b>	)	<b>Supreme Court No. 79S00-0606-SJ-222</b>
	)	
<b>vs.</b>	)	
	)	<b>Case No. 79D02-9805-DR-136</b>
<b>JOHN M. MANICKE</b>	)	<b>in the Tippecanoe Superior Court No. 2</b>

**ORDER REMANDING JURISDICTION TO TRIAL COURT**

Comes now the Honorable Thomas H. Busch, Judge of the Tippecanoe Superior Court No. 2, and pursuant to Ind.Trial Rule 79(K), certifies this matter here for the appointment of a special judge.

And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Tippecanoe Superior Court No. 2 and Judge Busch. The Chronological Case Summary shows that on September 13, 2005, the petitioner, Tammi E. Dickison, filed a motion for change of judge, which pursuant to T.R. 79(F) she failed to perfect. Nonetheless, the Honorable John A. Rader was named special judge in the case. Upon the objection of the respondent, John M. Manicke, Judge Rader ordered the case returned to Judge Busch for the naming of a new panel. This process resulted in Judge Rader again being named special judge, but he declined to accept the case. Judge Busch then certified the matter here. Since petitioner's earlier failure to perfect her request for a change of judge should have resulted in the case remaining with Judge Busch, we now remand the case to Judge Busch for further proceedings.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter is remanded to the Tippecanoe Superior Court No. 2 and Judge Busch.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Thomas H. Busch, Tippecanoe Superior Court, 301 Main Street, Lafayette, IN 47901; the Hon. John A. Rader, Warren Circuit Court, 125 North Monroe Street, #5, Williamsport, IN 47993-1162, and to the Clerk of the Tippecanoe Superior Court No. 2.

The Clerk of the Tippecanoe Superior Court No. 2 is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this \_\_\_\_\_ day of July, 2006.

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Acting Chief Justice of Indiana